

# Department of the Treasury

## Documentary Materials Removal/Nonremoval Certification

1. Name	2. Social Security Number
3. Bureau/Office	
<div style="display: flex; justify-content: space-between;"> <div> <p>4. Are you removing any nonrecord documents (paper or electronic media) from the Department of the Treasury?</p> </div> <div> <input type="checkbox"/> Yes --- Go to 5a.  <input type="checkbox"/> No --- Go to 7a.         </div> </div>	
<p>5a. I certify that the documents that I am removing from the Department of the Treasury have been reviewed and approved for removal. They do not include any documents which are prohibited by Department of the Treasury or Federal regulations from removal (examples: classified documents; record copies; documents, even though judged to be nonrecord, that will create a gap in the files; and indexes and finding aids necessary to use of the official files).</p>	
5b. Signature of Employee	5c. Date
6a. Title of Reviewing Official <i>(Records Management Officer)</i>	
6b. Signature of Reviewing Official <i>(Records Management Officer)</i>	6c. Date
7a. By my signature in block number 7b., I certify that I am not removing any documents from the Department of the Treasury.	
7b. Signature of Employee	7c. Date

TD F 80-05.5 (02-2000)

(Overwritten for use by the Bureau of the Public Debt)

**DATE: October 1, 2004**

**TREASURY ORDER 101-31**

**SUBJECT:** Requests by Departing and Former Employees to Access or Remove Documentary Materials

**APPENDIX 1. PRIVACY ACT GUIDANCE FOR DEPARTING EMPLOYEES.**

The Privacy Act, 5 U.S.C. § 552a, prohibits the disclosure of certain records about an individual except under certain specified circumstances. This document provides practical guidance for those employees who are unfamiliar with the specific requirements of the Privacy Act. We note that this guidance probably prohibits the removal of a broader range of materials than would be prohibited by the statute. Therefore, if you follow the guidance, you will not violate the Privacy Act. You are free, however, to consult the counsel to your office to determine how to comply with the Privacy Act.

As an employee of the Department of the Treasury, you were entitled to have access to and/or copies of records about an individual when such access was necessary for you to perform your official duties. However, once you cease to be an employee of the Department, you are no longer entitled to the special access that you previously had by virtue of that position. This is true even if you authored or had a role in the preparation of particular records.

Consequently, upon your departure, you should not remove any records or copies from the Department that are about an individual. Generally, a record is about an individual if it contains some substantive information about the individual (e.g., employment records, medical records, home address). A record is not about an individual if it is about a person or entity that is not afforded Privacy Act protection (e.g., a corporation or organization, a person who is neither a U.S. citizen nor a permanent resident), or if it does not identify the individual who is the subject of the record by name or other identifier and provide information about that individual (e.g., an agency memorandum that contains the name of the author of the memorandum, the name of the recipient, and perhaps even other employee names on a distribution list but that does not contain any information about those or any other individuals mentioned in the record). The Department may permit you to take materials about an individual if those materials have been placed in the public domain.

**APPENDIX 2: POLICY ON REMOVAL OF DOCUMENTARY MATERIALS.**

The following types of documentary materials may NEVER be removed:

- (1) Any federal record;
- (2) The only copy of any documentary materials involved in the conduct of the affairs of the Department or any other components of the Federal Government, whether or not judged to be records (including any copy that is unique, for example because it contains the signature or initials of the writer, reviewers, and/or concurring parties);
- (3) Any documentary materials (whether or not judged to be records) the removal of which will create such a gap in the files as to impair the completeness of essential documentation;
- (4) The only copy of indices or other finding aids (whether or not judged to be records) that are necessary to the use of official files;
- (5) Portions of documentary materials (whether or not judged to be records) that constitute classified information;
- (6) Portions of documentary materials (whether or not judged to be records) that constitute information protected from disclosure by the Privacy Act of 1974, 5 U.S.C. § 552a; and
- (7) Portions of any other documentary materials (whether or not judged to be records) that constitute information the disclosure of which is prohibited by law, such as grand jury, tax, and trade secret information.